



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

Ref: 8MO

December 1, 2006

Dean O'Brien
610 Dakota Avenue
Libby, MT 59923

Dear Mr. O'Brien:

Senator Burns has requested that I respond directly to you in regards to your letter to Ms. Denise Smith of Senator Burns' office dated October 31, 2006.

The Environmental Protection Agency (EPA) is aware of your concerns with the "shotcrete" overspray that happened during the time of the cleanup and restoration activities at your property. The on-site EPA, Volpe, and CDM representatives were also not happy with the results of this workmanship and we apologize for the inconvenience this has caused.

When you brought this up to our on-site EPA representative you were asked what you would like done. After your conversation with Mr. Mike Cirian (EPA) and Mr. Cook (CDM), it is my understanding that you agreed to have it cleaned by the contractor. When the contractor showed up you apparently refused to let them work and informed CDM that you had changed your mind. The EPA was made aware of this and through Volpe and CDM has agreed to send a plumber and electrician to examine the plumbing and wiring to determine if there is a problem and if so, what would be acceptable remedies. A plumber has since visited your property and made his recommendations. We still have not received a response from any of the electricians that have been contacted, but plan to contact you as soon as possible once we schedule an electrician to assess the condition of the wiring.

Under contracting regulations the contractor must have the first opportunity to fix any problems caused by their actions. Therefore, we will work with the contractor to resolve these issues in a timely manner. Also, as was discussed with you, it is your responsibility to install insulating and skirting protection of the crawl space. If you have further questions regarding the



clean up or restoration of your property, please feel free to contact Paul Peronard at (303) 312-6808.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Wardell", with a stylized flourish at the end.

John F. Wardell
Director
Montana Office

cc: Mike Cirian, 8EPR-SF
Paul Peronard, 8EPR-SF